

# USER'S GUIDE TO THE HERNDON ZONING ORDINANCE

---

## 5. Accessory Buildings (or Structures)

(see zoning ordinance §78-202(F), *Site Plans* and §78-402, *Accessory Uses and Structures*)

*The Town of Herndon zoning ordinance User Guide series provides the public with general information on land use regulations affecting activities undertaken by the public and administered by the Herndon Department of Community Development. It is not intended to be a complete statement of all applicable regulations. Individuals are encouraged to contact the Department of Community Development at 703-787-7380 for complete permitting requirements.*

### What is an Accessory Building?

Accessory buildings or structures include sheds, garages, carports, non-commercial greenhouses and other outbuildings. The Town zoning ordinance defines an accessory building as “a subordinate building located on the same lot as the principal building, or a portion of the principal building, the use of which is clearly incidental but customarily associated with the principal building.” In most cases, accessory buildings have different zoning provisions than principal (or primary) buildings.

### Does the Town regulate all Accessory Structures?

Yes, zoning provisions exist for the proper placement of an accessory structure on the site and for limiting the size of an accessory structure. As with any zoning regulation, if the provisions are not followed, the person responsible for the accessory structure may face violation proceedings and penalty fees.

**For accessory structures in residential districts (other than multi-family),** the following restrictions apply:

- ✍ The structure may be no taller than 15 feet, or the height of the principal structure, whichever is less.

- ✍ The floor area of the structure must be no greater than 50 percent of the area of the principal structure.
- ✍ The structure may only be located in the rear yard.
- ✍ The structure, and any feature on it including an open door, must be at least five feet from any alley line; two feet from any rear yard line or side yard line, and ten feet from the main building.
- ✍ The structure must be measured to include any projections such as gutters, downspouts, roofing, steps, open doors, or other features that may project beyond the exterior walls.


















**For accessory structures in multi-family and nonresidential districts,** the following restrictions apply:

- ✍ The structure may be no taller than 18 feet, or the height of the principal structure, whichever is less. A parking structure shall not exceed the height of the principal structure.
- ✍ The floor area of the structure (other than parking structures) must be no greater than 10 percent of the area of the lot where the principal structure is located.
- ✍ The structure may not be located in a front setback, unless it is a gate house.
- ✍ The structure may not be located in any required buffer, screening or landscaped area.
- ✍ Structure located on land adjacent to existing residential development or undeveloped land in a residential zoning district shall be located not closer to the property line than a distance equivalent to the height of the accessory structure.
- ✍ Trash enclosures are accessory structures and shall be located at least 50 feet away from a lot line.




adjoining existing residential development or undeveloped land in a residential district.

Any development proposed within the Town is subject to the Town's zoning and subdivision regulations. Most development requires detailed review through a site plan review process. The following table indicates the level of approval needed for certain types of accessory structures.

#### LEVEL OF APPROVAL NEEDED FOR ACCESSORY STRUCTURES

	Building permit or land disturbing permit or both	no zoning approval needed	may require a minor site plan	may require plan for single lot development	ARB approval	HPRB approval
Additions, structures, and buildings of less than 250 square feet in size located within any single family detached residential district outside of the Heritage Preservation Overlay District.						
Additions, structures, and buildings of less than 250 square feet in size located within any single family detached residential district <u>inside the Heritage Preservation Overlay District.</u>						
Additions, structures, and buildings of 250 square feet in size or larger located within any single family detached residential district outside of the Heritage Preservation Overlay District.						
Additions, structures, and buildings of 250 square feet in size or larger located within any single family detached residential district <u>inside the Heritage Preservation Overlay District.</u>						
Accessory structures less than 1,500 sf in a multi-family or business zoning district outside the Heritage Preservation Overlay District. <i>[Accessory structures of more than 1,500 feet require a site plan and public hearing process to be approved.]</i>						
Accessory structures less than 1,500 sf in a multi-family or business zoning district <u>inside the Heritage Preservation Overlay District.</u> <i>[Accessory structures of more than 1,500 feet require a site plan and public hearing process to be approved.]</i>						
Accessory structures that involve grading, excavation, filling, soil removal, or clearing of trees within an area of less than 2,500 square feet. <i>[Other portions of the Herndon Town Code may apply.]</i>						

**LEVEL OF APPROVAL NEEDED FOR ACCESSORY STRUCTURES**

	Building permit or land disturbing permit or both	no zoning approval needed	may require a minor site plan	may require plan for single lot development	ARB approval	HPRB approval
Accessory structures that involve grading, excavation, filling, soil removal, or clearing of trees within an area of 2,500 square feet or larger. <i>[Other portions of the Herndon Town Code may apply.]</i>						
Portable storage units on site for up to 16 days. MUST NOTIFY COMMUNITY DEVELOPMENT AT LEAST ONE BUSINESS DAY PRIOR TO PLACING THE PORTABLE STORAGE UNIT ON THE SITE.						

**Need more information?**

Got a question on required permits, the permit process, or application requirements? Call or make an appointment to see a member of the staff in the **Department of Community Development at 703-787-7380**.

Have a question regarding building permits or construction codes? Call or make an appointment to see the **Building Official at 703-435-6850**.

Visit the Town of Herndon on the web at [www.herndon-va.gov](http://www.herndon-va.gov) for the Zoning Ordinance User Guide series or to access the Town Code. Town offices are located at the Herndon Municipal Center at 777 Lynn Street, Herndon, Virginia, 20172.

**User's Guide to the Zoning Ordinance Series**

1. Neighborhood Meetings and Public Participation in the Planning and Zoning Process
2. Zoning Map Amendments
3. Signs
4. Special Exceptions
5. Site Plan Review Procedures
6. Single Lot Development
7. Chesapeake Bay Provisions
8. Traffic Impact Studies
9. Subdivision Site Plans
10. Unified Commercial Subdivisions
11. Performance Guarantees
12. Heritage Preservation Regulations
13. Board of Zoning Appeals
14. Conducting a Business in the Home
15. Fences
16. Accessory Structures
17. Summary of Permitted and Allowed Uses in the Zoning Districts
18. Summary of Dimensional Standards in the Zoning Districts
19. Commercial Vehicle Parking in Residential Districts
20. Parking on Lots with Single Family Detached Dwellings
21. Landscape and Buffer Requirements
22. Explanation of Variances, Waivers, Adjustments, and Exceptions
23. Fee Schedule
24. Temporary Use Permits, Special Events
25. Day Care, Child Care, Preschool and Home Day Care
26. Zoning Inspection and Zoning Appropriateness Permits

- 27. Written (Mailed) Notification to Adjacent Property Owners for Scheduled Public Hearings
- 28. Refuse Collection on Private Property

- 29. Exterior Lighting Standards
- 30. Vacating a Street Right-of-Way